

OHIO

House

of

Representatives

JOURNAL

CORRECTED VERSION
WEDNESDAY, JUNE 15, 2011

FIFTY-NINTH DAY

Hall of the House of Representatives, Columbus, Ohio
Wednesday, June 15, 2011, 1:30 p.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Karl Hanf of the Messiah Lutheran Church in Reynoldsburg, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

The following guests of the House of Representatives were recognized by Speaker Batchelder prior to the commencement of business:

The Solon High School and Middle School Science Olympiad teams received House Resolutions 129 and 130, respectively, presented by Representative Anielski-17th district.

Old Firehouse Winery and Ferrante Winery received House Resolutions 135 and 136, respectively, presented by Representative Kozlowski-99th district.

Allyn Marzulla, a guest of Representative Roegner-42nd district.

Bo Copeland, a guest of Representative Derickson-53rd district.

Jon Franks and students from Springboro High School, guests of Representative Beck-67th district.

Matt Bohn and Bill Dye, guests of Representative Martin-70th district.

Mitchell, Charlston and Max Powell, guests of Representative J. Adams-78th district.

Chad Gwined, son-in-law of Representative McClain-82nd district.

Rick Walters, Dan Schott, Jack Haessly, guests of Representative Thompson-93rd district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 266-Representative Stebelton.
Cosponsors: Representatives Yuko, Letson.

To amend section 3509.08 of the Revised Code to establish a process to permit an elector who is confined to a health care facility under isolation to vote with the assistance of bipartisan board of elections employees, and to permit the elector's facsimile signature, provided by the hospital, to be used for signature verification purposes.

H. B. No. 267-Representative McKenney.

Cosponsors: Representatives Combs, Letson, Stebelton.

To amend sections 9.231, 169.01, 1702.01, 1702.05, 1702.41, 1702.42, 1702.43, 1702.44, 1702.46, 2901.23, 3955.06, 3956.06, 4121.70, 4303.201, 4303.204, 4303.207, 5111.151, and 5701.13; to enact sections 1702.411, 1745.05 to 1745.46, 1745.461, and 1745.47 to 1745.57; and to repeal sections 1702.45, 1745.01, 1745.02, and 1745.04 of the Revised Code to adopt the Revised Uniform Unincorporated Nonprofit Association Act and to revise the merger and consolidation provisions of the Nonprofit Corporation Law.

H. B. No. 268-Representatives Szollosi, Butler.

Cosponsors: Representatives Pillich, Garland, Letson, Antonio, Gardner, Yuko, Stinziano, Okey.

To amend sections 3.08, 163.10, 311.17, 509.15, 733.73, 733.74, 1901.25, 1907.28, 2101.30, 2311.42, 2313.01, 2313.02, 2313.03, 2313.05, 2313.11, 2313.12, 2313.13, 2313.16, 2313.18, 2313.19, 2313.20, 2313.251, 2313.29, 2313.34, 2313.38, 2313.41, 2313.42, 2313.46, 2313.47, 2313.99, 2335.28, 2938.05, 2938.14, 2939.02, 2939.03, 2945.24, 2947.23, 3314.03, 3326.11, 5155.12, and 5563.05, to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 2313.05 (2313.04), 2313.11 (2313.18), 2313.13 (2313.15), 2313.16 (2313.14), 2313.18 (2313.19), 2313.19 (2313.07), 2313.20 (2313.08), 2313.251 (2313.10), 2313.29 (2313.20), 2313.34 (2313.22), 2313.38 (2313.11), 2313.41 (2313.16), 2313.42 (2313.17), 2313.46 (2313.24), and 2313.47 (2313.13), to enact new sections 2313.05, 2313.06, 2313.09, 2313.21, and 2313.23, and to repeal sections 2313.04, 2313.06, 2313.07, 2313.08, 2313.09, 2313.10, 2313.14, 2313.15, 2313.21, 2313.22, 2313.23, 2313.24, 2313.25, 2313.26, 2313.30, 2313.32, 2313.33, 2313.35, 2313.36, 2313.37, 2313.39, 2313.40, 2313.43, and 2313.45 of the Revised Code to modernize the language of, to reorganize, and to remove obsolete provisions from the jury service law.

H. B. No. 269-Representative Dovilla.

Cosponsors: Representatives Beck, Murray, Maag, Blair, McGregor, Stebelton, Reece, Adams, J., Letson, Mecklenborg.

To amend section 4507.05 of the Revised Code to provide that a person who holds a current, valid driver's license from another state be required to pass only vision screening in order to be issued a driver's license.

Said bills were considered the first time.

**REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS
FOR SECOND CONSIDERATION**

Representative Winburn submitted the following report:

The standing committee on Criminal Justice to which was referred **H. B. No. 14**-Representative Sears, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: STATUTORY DEFINITION OF "VICIOUS DOG" - REMOVE
PIT BULLS

Representative Slaby moved to amend the title as follows:

Add the names: "Winburn, Garland."

LYNN SLABY	BILL HAYES
ROLAND WINBURN	LOUIS W. BLESSING
MARGARET CONDITT	NANCY GARLAND
CONNIE PILLICH	ROBERT COLE SPRAGUE
JOSEPH W. UECKER	RON YOUNG

The following members voted "NO"

W. CARLTON WEDDINGTON SANDRA WILLIAMS

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Murray submitted the following report:

The standing committee on Judiciary and Ethics to which was referred **H. B. No. 170**-Representative Mecklenborg, et al., having had the same under consideration, reports it back and recommends its passage.

RE: CONTRACTS IN WRITING - SHORTEN STATUE OF
LIMITATIONS

DANNY R. BUBP	DENNIS MURRAY
JIM BUTLER	MARGARET CONDITT
MATT HUFFMAN	TOM LETSON
ROBERT MECKLENBORG	MARK D. OKEY
LYNN SLABY	GERALD L. STEBELTON
MICHAEL STINZIANO	MATT SZOLLOSI

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Carney submitted the following report:

The standing committee on Insurance to which was referred **H. B. No. 218**-Representative Hottinger, et al., having had the same under consideration, reports it back and recommends its passage.

RE: US DEPT OF HHS COMPENDIA-USE IN EXCLUDING COVERAGE FOR OFF LABEL DRUGS

Representative Hottinger moved to amend the title as follows:

Add the names: "Letson, Hackett, Carney, Luckie, Schuring, Sears."

JAY HOTTINGER	ROBERT HACKETT
JOHN PATRICK CARNEY	COURTNEY COMBS
TIMOTHY DERICKSON	MIKE FOLEY
TRACY HEARD	MICHAEL HENNE
TOM LETSON	CLAYTON LUCKIE
ROSS MCGREGOR	BOB PETERSON
KIRK SCHURING	BARBARA R. SEARS
ROBERT COLE SPRAGUE	MICHAEL STINZIANO

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Gerberry submitted the following report:

The standing committee on State Government and Elections to which was referred **H. B. No. 224**-Representatives Dovilla, Stinziano, et al., having had the same under consideration, reports it back and recommends its passage.

RE: ABSENT VOTING

Representative Mecklenborg moved to amend the title as follows:

Add the names: "Buchy, Celeste, Gardner, Huffman, Letson, Lundy, Patmon, Sprague."

ROBERT MECKLENBORG	RON MAAG
RON GERBERRY	JOHN ADAMS
LOUIS W. BLESSING	JIM BUCHY
TED CELESTE	KATHLEEN CLYDE
COURTNEY COMBS	REX DAMSCHRODER
MIKE DOVILLA	TERESA FEDOR
RANDY GARDNER	RICHARD HOLLINGTON
MATT HUFFMAN	TOM LETSON
MATT LUNDY	BILL PATMON
ROBERT COLE SPRAGUE	MICHAEL STINZIANO
VERNON SYKES	RON YOUNG

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Fende submitted the following report:

The standing committee on Health and Aging to which was referred **H. B. No. 245**-Representative Yuko, et al., having had the same under consideration, reports it back and recommends its passage.

RE: PAIN AWARENESS MONTH - SEPTEMBER

Representative Wachtmann moved to amend the title as follows:

Add the names: "Goodwin, Barnes, Carney, Celeste, Garland, Hackett, Johnson, Schuring, Sears."

LYNN R. WACHTMANN	BRUCE W. GOODWIN
NICKIE ANTONIO	TROY BALDERSON
JOHN BARNES	DAVE BURKE
JOHN PATRICK CARNEY	TED CELESTE
MIKE DUFFEY	RANDY GARDNER
NANCY GARLAND	ANNE GONZALES
ROBERT HACKETT	RICHARD HOLLINGTON
TERRY JOHNSON	DAN RAMOS
KIRK SCHURING	BARBARA R. SEARS
KENNY YUKO	

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Fende submitted the following report:

The standing committee on Health and Aging to which was referred **H. B. No. 248**-Representative Boyd, et al., having had the same under consideration, reports it back and recommends its passage.

RE: METASTATIC BREAST CANCER AWARENESS DAY - OCTOBER 13

Representative Wachtmann moved to amend the title as follows:

Add the names: "Goodwin, Barnes, Carney, Celeste, Duffey, Garland, Hackett, Johnson, Ramos, Sears."

LYNN R. WACHTMANN	BRUCE W. GOODWIN
NICKIE ANTONIO	TROY BALDERSON
JOHN BARNES	DAVE BURKE
JOHN PATRICK CARNEY	TED CELESTE
MIKE DUFFEY	RANDY GARDNER
NANCY GARLAND	ANNE GONZALES
ROBERT HACKETT	RICHARD HOLLINGTON
TERRY JOHNSON	DAN RAMOS
KIRK SCHURING	BARBARA R. SEARS
KENNY YUKO	

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Gerberry submitted the following report:

The standing committee on State Government and Elections to which was referred **Sub. S. B. No. 17**-Senator Schaffer, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: FIREARMS-HAVE IN LIQUOR PERMIT PREMISES AND OPEN AIR AREANAS/HANDLING IN MOTOR VEHICLE

Representative Mecklenborg moved to amend the title as follows:

Add the names: "Representatives Mecklenborg, Maag, Blessing, Buchy, Combs, Dovilla, Huffman, Young."

ROBERT MECKLENBORG	RON MAAG
JOHN ADAMS	LOUIS W. BLESSING
JIM BUCHY	COURTNEY COMBS
REX DAMSCHRODER	MIKE DOVILLA
RANDY GARDNER	CHERYL GROSSMAN
MATT HUFFMAN	ROBERT COLE SPRAGUE
RON YOUNG	

The following members voted "NO"

RON GERBERRY	TED CELESTE
KATHLEEN CLYDE	TERESA FEDOR
RICHARD HOLLINGTON	TOM LETSON
MATT LUNDY	BILL PATMON
MICHAEL STINZIANO	VERNON SYKES

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Murray submitted the following report:

The standing committee on Judiciary and Ethics to which was referred **S. B. No. 122**-Senator Oelslager, et al., having had the same under consideration, reports it back and recommends its passage.

RE: INTERSTATE COMPACT FOR JUVENILES

Representative Bulp moved to amend the title as follows:

Add the names: "Representatives Letson, Bulp, Murray, Okey, Szollosi, Stinziano, Mecklenborg, Stebelton, Huffman, Slaby."

DANNY R. BULP	DENNIS MURRAY
JIM BUTLER	MARGARET CONDITT
MATT HUFFMAN	TOM LETSON

ROBERT MECKLENBORG
LYNN SLABY
MICHAEL STINZIANO

MARK D. OKEY
GERALD L. STEBELTON
MATT SZOLLOSI

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

MOTIONS AND RESOLUTIONS

Representative Adams, J. moved that majority party members asking leave to be absent or absent the week of Tuesday, June 14, 2011, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Heard moved that minority party members asking leave to be absent or absent the week of Tuesday, June 14, 2011, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 17-Senator Schaffer.

Cosponsors: Senators Jones, Faber, Cafaro, Jordan, Grendell, Daniels, Beagle, Seitz, Wilson, Widener, Oelslager, Manning, Cates, Hite, Niehaus, Obhof, Stewart. Representatives Mecklenborg, Maag, Blessing, Buchy, Combs, Dovilla, Huffman, Young.

To amend sections 2923.121, 2923.125, 2923.128, 2923.16, 2953.321, 2953.33, and 2953.35 and to enact section 2953.37 of the Revised Code to permit a concealed carry licensee to possess a firearm in a liquor permit premises, or an open air arena, for which a D permit has been issued if the licensee is not consuming beer or intoxicating liquor or under the influence of alcohol or a drug of abuse, to modify the offense of improperly handling firearms in a motor vehicle as it applies to concealed carry licensees, and to authorize the expungement of a prior conviction of improperly handling firearms in a motor vehicle that no longer would be a crime under the bill, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Celeste moved to amend as follows:

In line 64, strike through ", as long as the" and insert " if both of the following apply:

(i) The"

Between lines 66 and 67, insert:

" (ii) The owner or operator of the premises for which a D permit has been issued under Chapter 4303. of the Revised Code or the owner or operator of the open air arena for which a permit of that nature has been issued has posted a sign in a conspicuous location at the premises or arena authorizing a person to enter with a concealed handgun."

The question being, "Shall the motion to amend be agreed to?"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 61, nays 34, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Combs	Conditt	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gentile
Gonzales	Goodwin	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hollington	Hottinger	Huffman	Johnson
Kozlowski	Landis	Maag	Martin
McClain	McGregor	Mecklenborg	Newbold
O'Brien	Peterson	Phillips	Roegner
Rosenberger	Ruhl	Schuring	Sears
Slaby	Sprague	Stautberg	Stebelton
Thompson	Uecker	Wachtmann	Young
			Batchelder-61.

Those who voted in the negative were: Representatives

Antonio	Barnes	Boyd	Budish
Carney	Celeste	Clyde	DeGeeter
Driehaus	Fedor	Foley	Garland
Gerberry	Goyal	Heard	Letson
Luckie	Lundy	Mallory	Milkovich
Murray	Okey	Patmon	Pillich
Ramos	Reece	Slesnick	Stinziano
Sykes	Szollosi	Weddington	Williams
Winburn			Yuko-34.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Lundy moved to amend as follows:

After line 1413, insert:

"Section 3. JobsOhio shall conduct a study of the impact that this act has on restaurant sales and restaurant employment in this state. The study also shall evaluate if this act in any way diminishes or expands economic activity in this state due to its impact on restaurant sales. Not later than two years after the effective date of this act, JobsOhio shall issue a report of the study's findings. A copy of the report shall be provided to each member of the General Assembly."

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 37, nays 58, as follows:

Those who voted in the affirmative were: Representatives

Antonio	Barnes	Boyd	Budish
Carney	Celeste	Clyde	DeGeeter
Driehaus	Fedor	Foley	Garland
Gentile	Gerberry	Goyal	Heard
Letson	Luckie	Lundy	Mallory
Milkovich	Murray	O'Brien	Okey
Patmon	Phillips	Pillich	Ramos
Reece	Slesnick	Stinziano	Sykes
Szollosi	Weddington	Williams	Winburn
			Yuko-37.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Combs	Conditt	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gonzales
Goodwin	Grossman	Hackett	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Maag	Martin	McClain
McGregor	Mecklenborg	Newbold	Peterson
Roegner	Rosenberger	Ruhl	Schuring
Sears	Slaby	Sprague	Stautberg
Stebelton	Thompson	Uecker	Wachtmann
Young			Batchelder-58.

The motion to amend was not agreed to.

The question recurring, "Shall the bill pass?"

Representative Letson moved to amend as follows:

In line 100, after "(D)" insert " (1)"

Between lines 104 and 105, insert:

" (2)(a) Any person who has been issued a license or temporary

emergency license to carry a concealed handgun under section 2923.125 or 2923.1213 of the Revised Code or who is in this state and has been issued a license to carry a concealed handgun by another state with which the attorney general has entered into a reciprocity agreement under section 109.69 of the Revised Code shall be deemed to have given consent to a chemical test or tests of the person's whole blood, blood serum or plasma, breath, or urine to determine the alcohol content of the person's whole blood, blood serum or plasma, breath, or urine if any law enforcement officer has reasonable cause to believe that the person is in violation of division (A) of this section due to the person being under the influence of alcohol. The chemical test or tests shall be administered at the request of the law enforcement officer who has reasonable cause to believe that the person is in violation of division (A) of this section due to the person being under the influence of alcohol. The law enforcement agency by which the officer is employed shall designate which of the tests shall be administered.

In any criminal prosecution of a licensee described in this division for a violation of division (A) of this section, the court may admit evidence on the concentration of alcohol in the defendant's whole blood, blood serum or plasma, breath, urine, or other bodily substance at the time of the alleged violation as shown by chemical analysis of the substance withdrawn within three hours of the time of the alleged violation. The court may admit evidence on the concentration of alcohol when a person submits to a blood, breath, urine, or other bodily substance test at the request of a law enforcement officer under this division. Blood may be withdrawn only as described in division (D) of section 4511.19 of the Revised Code and the bodily substance withdrawn under this division shall be analyzed as described in that division.

Upon the request of the person who was tested under this division, the results of the chemical test shall be made available to the person or the person's attorney immediately upon the completion of the chemical test analysis. The person tested may have a physician, a registered nurse, or a qualified technician, chemist, or phlebotomist of the person's own choosing administer a chemical test or tests, at the person's expense, in addition to any administered at the request of a law enforcement officer. The failure or inability to obtain an additional chemical test by a person shall not preclude the admission of evidence relating to the chemical test or tests taken at the request of a law enforcement officer. Divisions (E) and (F) of section 4511.19 of the Revised Code apply in relation to any chemical test administered under this division.

(b) If a person who has been issued a license or temporary emergency license to carry a concealed handgun by this state refuses to submit to a chemical test or tests upon request made pursuant to division (D)(2)(a) of this section, the sheriff who issued the license shall suspend the person's license pursuant to division (A)(2) of section 2923.128 of the Revised Code in the same manner as if the person had been convicted of a misdemeanor violation of division (B)(1) of section 2923.12 of the Revised Code. The suspension shall be for one year and shall end on the date that is one year after the date on which the person

refused to submit to the test or tests. Divisions (A)(2) and (3) of section 2923.128 of the Revised Code apply regarding a suspension imposed pursuant to this division.

If a person who is in this state and has been issued a license to carry a concealed handgun by another state with which the attorney general has entered into a reciprocity agreement under section 109.69 of the Revised Code refuses to submit to a chemical test or tests upon request made pursuant to division (D)(2)(a) of this section, the law enforcement agency served by the officer who made the request shall notify the appropriate officials in the state that issued the license of the refusal."

Between lines 113 and 114, insert:

" Notwithstanding section 2929.14 of the Revised Code, the court shall impose a mandatory prison term of one year on any person who violates this section, is carrying a valid license or temporary emergency license to carry a concealed handgun issued to the person under section 2923.125 or 2923.1213 of the Revised Code or a license to carry a concealed handgun that was issued to the person by another state with which the attorney general has entered into a reciprocity agreement under section 109.69 of the Revised Code, and is under the influence of alcohol."

In line 114, after " (F)" insert " (1)"

Between lines 115 and 116, insert:

" (2) As used in this section, "under the influence of alcohol" means that the person has a measurable concentration of alcohol, in any amount, in the person's whole blood, in the person's blood serum or plasma, in the person's breath, or in the person's urine."

The question being, "Shall the motion to amend be agreed to?"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 62, nays 33, as follows:

Those who voted in the affirmative were: Representatives

- | | | | |
|------------|-------------|-------------|-----------|
| Adams J. | Adams R. | Amstutz | Anielski |
| Baker | Balderson | Beck | Blair |
| Blessing | Boose | Brenner | Bubp |
| Buchy | Burke | Butler | Carey |
| Combs | Conditt | Damschroder | Derickson |
| Dovilla | Duffey | Gardner | Gentile |
| Gonzales | Goodwin | Grossman | Hackett |
| Hagan, C. | Hall | Hayes | Henne |
| Hollington | Hottinger | Huffman | Johnson |
| Kozlowski | Landis | Maag | Martin |
| McClain | McGregor | Mecklenborg | Newbold |
| O'Brien | Peterson | Phillips | Pillich |
| Roegner | Rosenberger | Ruhl | Schuring |

Sears
Stebelton
Young

Slaby
Thompson

Sprague
Uecker

Stautberg
Wachtmann
Batchelder-62.

Those who voted in the negative were: Representatives

Antonio
Carney
Driehaus
Gerberry
Luckie
Murray
Reece
Szollosi

Barnes
Celeste
Fedor
Goyal
Lundy
Okey
Slesnick
Weddington

Boyd
Clyde
Foley
Heard
Mallory
Patmon
Stinziano
Williams

Budish
DeGeeter
Garland
Letson
Milkovich
Ramos
Sykes
Winburn
Yuko-33.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Williams moved to amend as follows:

In line 64, strike through "as long as the" and insert " if both of the following apply:

(i) The"

Between lines 66 and 67, insert:

" (ii) The premises for which a D permit has been issued under Chapter 4303. of the Revised Code is not located in a municipal corporation in which an election has been held under division (F) of this section at which a majority of the registered electors voted no."

In line 114, after " (F)" insert " The legislative authority of a municipal corporation, not later than four p.m. of the ninetieth day before the day of a general election, may submit to the board of elections of the county an ordinance requesting the submission of the question set forth in this division to the electors of the municipal corporation. If the legislative authority submits such an ordinance, the board of elections shall order that an election be held on that question in the municipal corporation on the day of the next general election.

At the election, the following question shall be submitted to the electors of the municipal corporation:

"Shall a person who is carrying a valid license or temporary emergency license issued in Ohio to carry a concealed handgun or a license to carry a concealed handgun that was issued to the person by another state with which the attorney general has entered into a reciprocity agreement be permitted to possess a firearm in any room in which any person is consuming liquor in a premises for which a D liquor permit has been issued or in an open air arena for which a permit of that nature has been issued?"

.....yes

.....no"

The board of elections shall furnish printed ballots at the election as provided under section 3505.06 of the Revised Code, except that a separate ballot shall be used for the election under this section. The question set forth in this division shall be printed on each ballot, and the board shall insert in the question appropriate words to complete it, subject to the approval of the secretary of state. Votes shall be cast as provided under section 3505.06 of the Revised Code.

If a majority of registered electors votes no on the question set forth in this division, division (B)(1)(e) of this section does not apply in the municipal corporation in which the election took place.

(G)"

The question being, "Shall the motion to amend be agreed to?"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 61, nays 34, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Combs	Conditt	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gentile
Gonzales	Goodwin	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hollington	Hottinger	Huffman	Johnson
Kozlowski	Landis	Maag	Martin
McClain	McGregor	Mecklenborg	Newbold
O'Brien	Peterson	Phillips	Roegner
Rosenberger	Ruhl	Schuring	Sears
Slaby	Sprague	Stautberg	Stebelton
Thompson	Uecker	Wachtmann	Young
			Batchelder-61.

Those who voted in the negative were: Representatives

Antonio	Barnes	Boyd	Budish
Carney	Celeste	Clyde	DeGeeter
Driehaus	Fedor	Foley	Garland
Gerberry	Goyal	Heard	Letson
Luckie	Lundy	Mallory	Milkovich
Murray	Okey	Patmon	Pillich
Ramos	Reece	Slesnick	Stinziano
Sykes	Szollosi	Weddington	Williams
Winburn			Yuko-34.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Patmon moved to amend as follows:

In line 15, after "2923.125," insert "2923.126,"

In line 21, strike through everything after "Code"

In line 22, strike through "permit of that nature has been issued"

In line 37, strike through "or an open air arena"

In line 38, strike through "or open air arena"

In line 51, strike through "or open"

In line 52, strike through "air arena"

Between lines 612 and 613, insert:

"Sec. 2923.126. (A) A license to carry a concealed handgun that is issued under section 2923.125 of the Revised Code on or after March 14, 2007, shall expire five years after the date of issuance, and a license that is so issued prior to March 14, 2007, shall expire four years after the date of issuance. A licensee who has been issued a license under that section shall be granted a grace period of thirty days after the licensee's license expires during which the licensee's license remains valid. Except as provided in divisions (B) and (C) of this section, a licensee who has been issued a license under section 2923.125 or 2923.1213 of the Revised Code may carry a concealed handgun anywhere in this state if the licensee also carries a valid license and valid identification when the licensee is in actual possession of a concealed handgun. The licensee shall give notice of any change in the licensee's residence address to the sheriff who issued the license within forty-five days after that change.

If a licensee is the driver or an occupant of a motor vehicle that is stopped as the result of a traffic stop or a stop for another law enforcement purpose and if the licensee is transporting or has a loaded handgun in the motor vehicle at that time, the licensee shall promptly inform any law enforcement officer who approaches the vehicle while stopped that the licensee has been issued a license or temporary emergency license to carry a concealed handgun and that the licensee currently possesses or has a loaded handgun; the licensee shall not knowingly disregard or fail to comply with lawful orders of a law enforcement officer given while the motor vehicle is stopped, knowingly fail to remain in the motor vehicle while stopped, or knowingly fail to keep the licensee's hands in plain sight after any law enforcement officer begins approaching the licensee while stopped and before the officer leaves, unless directed otherwise by a law enforcement officer; and the licensee shall not knowingly remove, attempt to remove, grasp, or hold the loaded handgun or knowingly have contact with the loaded handgun by touching it with the licensee's hands or fingers, in any manner in violation of division (E) of section

2923.16 of the Revised Code, after any law enforcement officer begins approaching the licensee while stopped and before the officer leaves. Additionally, if a licensee is the driver or an occupant of a commercial motor vehicle that is stopped by an employee of the motor carrier enforcement unit for the purposes defined in section 5503.04 of the Revised Code and if the licensee is transporting or has a loaded handgun in the commercial motor vehicle at that time, the licensee shall promptly inform the employee of the unit who approaches the vehicle while stopped that the licensee has been issued a license or temporary emergency license to carry a concealed handgun and that the licensee currently possesses or has a loaded handgun.

If a licensee is stopped for a law enforcement purpose and if the licensee is carrying a concealed handgun at the time the officer approaches, the licensee shall promptly inform any law enforcement officer who approaches the licensee while stopped that the licensee has been issued a license or temporary emergency license to carry a concealed handgun and that the licensee currently is carrying a concealed handgun; the licensee shall not knowingly disregard or fail to comply with lawful orders of a law enforcement officer given while the licensee is stopped or knowingly fail to keep the licensee's hands in plain sight after any law enforcement officer begins approaching the licensee while stopped and before the officer leaves, unless directed otherwise by a law enforcement officer; and the licensee shall not knowingly remove, attempt to remove, grasp, or hold the loaded handgun or knowingly have contact with the loaded handgun by touching it with the licensee's hands or fingers, in any manner in violation of division (B) of section 2923.12 of the Revised Code, after any law enforcement officer begins approaching the licensee while stopped and before the officer leaves.

(B) A valid license issued under section 2923.125 or 2923.1213 of the Revised Code does not authorize the licensee to carry a concealed handgun in any manner prohibited under division (B) of section 2923.12 of the Revised Code or in any manner prohibited under section 2923.16 of the Revised Code. A valid license does not authorize the licensee to carry a concealed handgun into any of the following places:

(1) A police station, sheriff's office, or state highway patrol station, premises controlled by the bureau of criminal identification and investigation, a state correctional institution, jail, workhouse, or other detention facility, an airport passenger terminal, or an institution that is maintained, operated, managed, and governed pursuant to division (A) of section 5119.02 of the Revised Code or division (A)(1) of section 5123.03 of the Revised Code;

(2) A school safety zone if the licensee's carrying the concealed handgun is in violation of section 2923.122 of the Revised Code;

(3) A courthouse or another building or structure in which a courtroom is located, in violation of section 2923.123 of the Revised Code;

(4) Any premises or open air arena for which a D permit has been issued

under Chapter 4303. of the Revised Code if the licensee's carrying the concealed handgun is in violation of section 2923.121 of the Revised Code;

(5) Any premises owned or leased by any public or private college, university, or other institution of higher education, unless the handgun is in a locked motor vehicle or the licensee is in the immediate process of placing the handgun in a locked motor vehicle;

(6) Any church, synagogue, mosque, or other place of worship, unless the church, synagogue, mosque, or other place of worship posts or permits otherwise;

(7) A child day-care center, a type A family day-care home, a type B family day-care home, or a type C family day-care home, except that this division does not prohibit a licensee who resides in a type A family day-care home, a type B family day-care home, or a type C family day-care home from carrying a concealed handgun at any time in any part of the home that is not dedicated or used for day-care purposes, or from carrying a concealed handgun in a part of the home that is dedicated or used for day-care purposes at any time during which no children, other than children of that licensee, are in the home;

(8) An aircraft that is in, or intended for operation in, foreign air transportation, interstate air transportation, intrastate air transportation, or the transportation of mail by aircraft;

(9) Any building that is a government facility of this state or a political subdivision of this state and that is not a building that is used primarily as a shelter, restroom, parking facility for motor vehicles, or rest facility and is not a courthouse or other building or structure in which a courtroom is located that is subject to division (B)(3) of this section;

(10) A place in which federal law prohibits the carrying of handguns ;

(11) An open air arena or other arena.

(C)(1) Nothing in this section shall negate or restrict a rule, policy, or practice of a private employer that is not a private college, university, or other institution of higher education concerning or prohibiting the presence of firearms on the private employer's premises or property, including motor vehicles owned by the private employer. Nothing in this section shall require a private employer of that nature to adopt a rule, policy, or practice concerning or prohibiting the presence of firearms on the private employer's premises or property, including motor vehicles owned by the private employer.

(2)(a) A private employer shall be immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to a licensee bringing a handgun onto the premises or property of the private employer, including motor vehicles owned by the private employer, unless the private employer acted with malicious purpose. A private employer is immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to the private employer's

decision to permit a licensee to bring, or prohibit a licensee from bringing, a handgun onto the premises or property of the private employer. As used in this division, "private employer" includes a private college, university, or other institution of higher education.

(b) A political subdivision shall be immune from liability in a civil action, to the extent and in the manner provided in Chapter 2744. of the Revised Code, for any injury, death, or loss to person or property that allegedly was caused by or related to a licensee bringing a handgun onto any premises or property owned, leased, or otherwise under the control of the political subdivision. As used in this division, "political subdivision" has the same meaning as in section 2744.01 of the Revised Code.

(3)(a) Except as provided in division (C)(3)(b) of this section, the owner or person in control of private land or premises, and a private person or entity leasing land or premises owned by the state, the United States, or a political subdivision of the state or the United States, may post a sign in a conspicuous location on that land or on those premises prohibiting persons from carrying firearms or concealed firearms on or onto that land or those premises. Except as otherwise provided in this division, a person who knowingly violates a posted prohibition of that nature is guilty of criminal trespass in violation of division (A)(4) of section 2911.21 of the Revised Code and is guilty of a misdemeanor of the fourth degree. If a person knowingly violates a posted prohibition of that nature and the posted land or premises primarily was a parking lot or other parking facility, the person is not guilty of criminal trespass in violation of division (A)(4) of section 2911.21 of the Revised Code and instead is subject only to a civil cause of action for trespass based on the violation.

(b) A landlord may not prohibit or restrict a tenant who is a licensee and who on or after ~~the effective date of this amendment~~ September 9, 2008, enters into a rental agreement with the landlord for the use of residential premises, and the tenant's guest while the tenant is present, from lawfully carrying or possessing a handgun on those residential premises.

(c) As used in division (C)(3) of this section:

(i) "Residential premises" has the same meaning as in section 5321.01 of the Revised Code, except "residential premises" does not include a dwelling unit that is owned or operated by a college or university.

(ii) "Landlord," "tenant," and "rental agreement" have the same meanings as in section 5321.01 of the Revised Code.

(D) A person who holds a license to carry a concealed handgun that was issued pursuant to the law of another state that is recognized by the attorney general pursuant to a reciprocity agreement entered into pursuant to section 109.69 of the Revised Code has the same right to carry a concealed handgun in this state as a person who was issued a license to carry a concealed handgun under section 2923.125 of the Revised Code and is subject to the same restrictions that apply to a person who carries a license issued under that section.

(E) A peace officer has the same right to carry a concealed handgun in this state as a person who was issued a license to carry a concealed handgun under section 2923.125 of the Revised Code. For purposes of reciprocity with other states, a peace officer shall be considered to be a licensee in this state.

(F)(1) A qualified retired peace officer who possesses a retired peace officer identification card issued pursuant to division (F)(2) of this section and a valid firearms requalification certification issued pursuant to division (F)(3) of this section has the same right to carry a concealed handgun in this state as a person who was issued a license to carry a concealed handgun under section 2923.125 of the Revised Code and is subject to the same restrictions that apply to a person who carries a license issued under that section. For purposes of reciprocity with other states, a qualified retired peace officer who possesses a retired peace officer identification card issued pursuant to division (F)(2) of this section and a valid firearms requalification certification issued pursuant to division (F)(3) of this section shall be considered to be a licensee in this state.

(2)(a) Each public agency of this state or of a political subdivision of this state that is served by one or more peace officers shall issue a retired peace officer identification card to any person who retired from service as a peace officer with that agency, if the issuance is in accordance with the agency's policies and procedures and if the person, with respect to the person's service with that agency, satisfies all of the following:

(i) The person retired in good standing from service as a peace officer with the public agency, and the retirement was not for reasons of mental instability.

(ii) Before retiring from service as a peace officer with that agency, the person was authorized to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law and the person had statutory powers of arrest.

(iii) At the time of the person's retirement as a peace officer with that agency, the person was trained and qualified to carry firearms in the performance of the peace officer's duties.

(iv) Before retiring from service as a peace officer with that agency, the person was regularly employed as a peace officer for an aggregate of fifteen years or more, or, in the alternative, the person retired from service as a peace officer with that agency, after completing any applicable probationary period of that service, due to a service-connected disability, as determined by the agency.

(b) A retired peace officer identification card issued to a person under division (F)(2)(a) of this section shall identify the person by name, contain a photograph of the person, identify the public agency of this state or of the political subdivision of this state from which the person retired as a peace officer and that is issuing the identification card, and specify that the person retired in good standing from service as a peace officer with the issuing public agency and satisfies the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this section. In

addition to the required content specified in this division, a retired peace officer identification card issued to a person under division (F)(2)(a) of this section may include the firearms requalification certification described in division (F)(3) of this section, and if the identification card includes that certification, the identification card shall serve as the firearms requalification certification for the retired peace officer. If the issuing public agency issues credentials to active law enforcement officers who serve the agency, the agency may comply with division (F)(2)(a) of this section by issuing the same credentials to persons who retired from service as a peace officer with the agency and who satisfy the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this section, provided that the credentials so issued to retired peace officers are stamped with the word "RETIRED."

(c) A public agency of this state or of a political subdivision of this state may charge persons who retired from service as a peace officer with the agency a reasonable fee for issuing to the person a retired peace officer identification card pursuant to division (F)(2)(a) of this section.

(3) If a person retired from service as a peace officer with a public agency of this state or of a political subdivision of this state and the person satisfies the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this section, the public agency may provide the retired peace officer with the opportunity to attend a firearms requalification program that is approved for purposes of firearms requalification required under section 109.801 of the Revised Code. The retired peace officer may be required to pay the cost of the course.

If a retired peace officer who satisfies the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this section attends a firearms requalification program that is approved for purposes of firearms requalification required under section 109.801 of the Revised Code, the retired peace officer's successful completion of the firearms requalification program requalifies the retired peace officer for purposes of division (F) of this section for five years from the date on which the program was successfully completed, and the requalification is valid during that five-year period. If a retired peace officer who satisfies the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this section satisfactorily completes such a firearms requalification program, the retired peace officer shall be issued a firearms requalification certification that identifies the retired peace officer by name, identifies the entity that taught the program, specifies that the retired peace officer successfully completed the program, specifies the date on which the course was successfully completed, and specifies that the requalification is valid for five years from that date of successful completion. The firearms requalification certification for a retired peace officer may be included in the retired peace officer identification card issued to the retired peace officer under division (F)(2) of this section.

A retired peace officer who attends a firearms requalification program that is approved for purposes of firearms requalification required under section 109.801 of the Revised Code may be required to pay the cost of the program.

(G) As used in this section:

(1) "Qualified retired peace officer" means a person who satisfies all of the following:

(a) The person satisfies the criteria set forth in divisions (F)(2)(a)(i) to (v) of this section.

(b) The person is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

(c) The person is not prohibited by federal law from receiving firearms.

(2) "Retired peace officer identification card" means an identification card that is issued pursuant to division (F)(2) of this section to a person who is a retired peace officer.

(3) "Government facility of this state or a political subdivision of this state" means any of the following:

(a) A building or part of a building that is owned or leased by the government of this state or a political subdivision of this state and where employees of the government of this state or the political subdivision regularly are present for the purpose of performing their official duties as employees of the state or political subdivision;

(b) The office of a deputy registrar serving pursuant to Chapter 4503. of the Revised Code that is used to perform deputy registrar functions.

(4) "Arena" means an enclosed building that contains aligned numbered seating and that is used primarily for sporting events or entertainment purposes.

(5) "Open air arena" means a building that contains open air aligned numbered seating and that is used primarily for sporting events or entertainment purposes."

In line 1411, after "2923.125," insert "2923.126,"

In line 1 of the title, after "2923.125," insert "2923.126,"

In line 5 of the title, delete ", or an open"

In line 6 of the title, delete "air arena,"

In line 9 of the title, after "abuse" insert ", to prohibit a concealed carry licensee from carrying a concealed handgun into an open air arena or other arena"

The question being, "Shall the motion to amend be agreed to?"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 61, nays 34, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Combs	Conditt	Damschroder	Derickson
Dovilla	Duffey	Gardner	Gentile
Gonzales	Goodwin	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hollington	Hottinger	Huffman	Johnson
Kozlowski	Landis	Maag	Martin
McClain	McGregor	Mecklenborg	Newbold
O'Brien	Peterson	Phillips	Roegner
Rosenberger	Ruhl	Schuring	Sears
Slaby	Sprague	Stautberg	Stebelton
Thompson	Uecker	Wachtmann	Young
			Batchelder-61.

Those who voted in the negative were: Representatives

Antonio	Barnes	Boyd	Budish
Carney	Celeste	Clyde	DeGeeter
Driehaus	Fedor	Foley	Garland
Gerberry	Goyal	Heard	Letson
Luckie	Lundy	Mallory	Milkovich
Murray	Okey	Patmon	Pillich
Ramos	Reece	Slesnick	Stinziano
Sykes	Szollosi	Weddington	Williams
Winburn			Yuko-34.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 56, nays 39, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Balderson	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Burke	Butler	Carey	Combs
Conditt	Damschroder	Derickson	Dovilla
Gardner	Gentile	Gonzales	Goodwin
Grossman	Hackett	Hagan, C.	Hall
Hayes	Henne	Hottinger	Huffman
Johnson	Kozlowski	Landis	Maag
Martin	McClain	McGregor	Mecklenborg
Newbold	O'Brien	Peterson	Phillips
Roegner	Rosenberger	Ruhl	Sears
Slaby	Sprague	Stautberg	Thompson
Uecker	Wachtmann	Young	Batchelder-56.

Those who voted in the negative were: Representatives

Antonio	Baker	Barnes	Boyd
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Duffey	Fedor
Foley	Garland	Gerberry	Goyal
Heard	Hollington	Letson	Luckie
Lundy	Mallory	Milkovich	Murray
Okey	Patmon	Pillich	Ramos
Reece	Schuring	Slesnick	Stebelton
Stinziano	Sykes	Szollosi	Weddington
Williams	Winburn		Yuko-39.

The bill passed.

Representative Mecklenborg moved to amend the title as follows:

Add the names: "Amstutz, Balderson, Beck, Boose, Brenner, Bubp, Carey, Derickson, Goodwin, Hackett, Hagan, C., Hall, Hayes, Henne, Johnson, Kozlowski, Landis, Martin, Newbold, Roegner, Ruhl, Sears, Thompson, Uecker, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

S. C. R. No. 4-Senator Daniels.

Cosponsors: Senators Stewart, Niehaus, Hite, Seitz, Jones, Bacon, Patton, Beagle, Hughes, Wilson, Grendell, Schaffer, Faber, Gillmor, Widener, Manning, Wagoner, Cafaro, LaRose, Sawyer, Jordan, Cates, Lehner, Obhof, Smith. Representatives Rosenberger, Stautberg, Beck.

To urge the President of the United States to direct the United States Department of Energy to ensure the continuation of the uranium enrichment work being developed by USEC, Inc., at its Piketon, Ohio plant by granting USEC's application for a federal loan guarantee and to direct the Secretary of Energy to strongly consider providing federal funding assistance for the Clean Energy Park Demonstration Project, was taken up for consideration the third time.

Representative Rosenberger moved to amend the title as follows:

Add the names: "Adams, J., Adams, R., Anielski, Balderson, Blair, Boose, Brenner, Buchy, Butler, Carey, Combs, Derickson, Dovilla, Duffey, Garland, Gentile, Goodwin, Grossman, Hackett, Hagan, C., Hall, Hayes, Henne, Huffman, Johnson, Kozlowski, Letson, Luckie, Mallory, Martin, McGregor, Mecklenborg, Newbold, O'Brien, Peterson, Roegner, Schuring, Sears, Slaby, Stebelton, Szollosi, Thompson, Uecker, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

The question being, "Shall the concurrent resolution be adopted?"

The yeas and nays were taken and resulted - yeas 88, nays 6, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Barnes	Beck
Blair	Blessing	Boose	Brenner
Bubp	Buchy	Budish	Burke
Butler	Carey	Carney	Celeste
Clyde	Combs	Conditt	Damschroder
DeGeeter	Derickson	Dovilla	Driehaus
Duffey	Fedor	Gardner	Garland
Gentile	Gerberry	Gonzales	Goodwin
Goyal	Grossman	Hackett	Hagan, C.
Hall	Hayes	Henne	Hollington
Hottinger	Huffman	Johnson	Kozlowski
Landis	Letson	Luckie	Lundy
Maag	Mallory	Martin	McClain
McGregor	Mecklenborg	Milkovich	Murray
Newbold	O'Brien	Okey	Patmon
Peterson	Phillips	Pillich	Reece
Roegner	Rosenberger	Ruhl	Schuring
Sears	Slaby	Slesnick	Sprague
Stautberg	Stebelton	Stinziano	Sykes
Szollosi	Thompson	Uecker	Wachtmann
Winburn	Young	Yuko	Batchelder-88.

Representatives Antonio, Foley, Heard, Ramos, Weddington, and Williams voted in the negative-6.

The concurrent resolution was adopted.

H. R. No. 97-Representative Sears.

Cosponsor: Representative Fedor.

To urge Congress to support the continued and increased importation of oil derived from Canadian oil sands and urge Congress to ask the U.S. Secretary of State to approve the TransCanada Keystone XL pipeline project from Alberta to Oklahoma, was taken up for consideration the third time.

Representative Sears moved to amend the title as follows:

Add the names: "Adams, J., Adams, R., Anielski, Balderson, Barnes, Beck, Blair, Blessing, Boose, Brenner, Bubp, Buchy, Carey, Celeste, Combs, Conditt, Derickson, Dovilla, Duffey, Gardner, Goodwin, Hackett, Hagan, C., Hall, Hayes, Henne, Hottinger, Huffman, Johnson, Kozlowski, Letson, Maag, Mallory, Martin, Mecklenborg, Newbold, Peterson, Roegner, Ruhl, Schuring, Slaby, Stautberg, Stebelton, Szollosi, Thompson, Uecker, Wachtmann, Weddington, Williams, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

The question being, "Shall the resolution be adopted?"

The yeas and nays were taken and resulted - yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Baker	Balderson	Barnes
Beck	Blair	Blessing	Boose
Brenner	Bubp	Buchy	Budish
Burke	Butler	Carey	Carney
Celeste	Clyde	Combs	Conditt
Damschroder	DeGeeter	Derickson	Dovilla
Driehaus	Duffey	Fedor	Foley
Gardner	Garland	Gentile	Gerberry
Gonzales	Goodwin	Goyal	Grossman
Hackett	Hagan, C.	Hall	Hayes
Heard	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Letson	Luckie	Lundy	Maag
Mallory	Martin	McClain	McGregor
Mecklenborg	Milkovich	Murray	Newbold
O'Brien	Okey	Patmon	Peterson
Phillips	Pillich	Ramos	Reece
Roegner	Rosenberger	Ruhl	Schuring
Sears	Slaby	Slesnick	Sprague
Stautberg	Stebelton	Stinziano	Sykes
Szollosi	Thompson	Uecker	Wachtmann
Weddington	Williams	Winburn	Young
Yuko			Batchelder-94.

The resolution was adopted.

Sub. H. B. No. 229-Representative Buchy.

Cosponsors: Representatives Hall, Derickson, Thompson, Maag, Boose, Adams, R., Hayes, Ruhl, Balderson.

To amend sections 121.04, 121.09, 307.204, 505.266, 901.08, 901.43, 903.02, 907.11, 923.41, 923.52, 924.52, 941.02, 941.041, 941.14, 942.02, 943.03, 943.031, 943.04, 943.05, 943.16, 953.23, 955.35, 959.14, 1711.50, 1711.51, 1711.57, 3717.22, and 4707.11 and to enact sections 923.411 and 3769.0811 of the Revised Code to revise the laws governing agriculture, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 88, nays 6, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Barnes	Beck

Blair	Blessing	Boose	Brenner
Bubp	Buchy	Budish	Butler
Carey	Carney	Celeste	Clyde
Combs	Conditt	Damschroder	DeGeeter
Derickson	Dovilla	Driehaus	Duffey
Gardner	Garland	Gentile	Gerberry
Gonzales	Goodwin	Goyal	Grossman
Hackett	Hagan, C.	Hall	Hayes
Heard	Henne	Hollington	Hottinger
Huffman	Johnson	Kozlowski	Landis
Luckie	Lundy	Maag	Mallory
Martin	McClain	McGregor	Mecklenborg
Milkovich	Murray	Newbold	O'Brien
Okey	Patmon	Peterson	Phillips
Pillich	Ramos	Reece	Roegner
Rosenberger	Ruhl	Schuring	Sears
Slaby	Slesnick	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Thompson	Uecker	Wachtmann	Weddington
Williams	Young	Yuko	Batchelder-88.

Representatives Antonio, Burke, Fedor, Foley, Letson, and Winburn voted in the negative-6.

The bill passed.

Representative Buchy moved to amend the title as follows:

Add the names: "Amstutz, Baker, Barnes, Beck, Blair, Blessing, Bubp, Combs, Duffey, Garland, Hackett, Hagan, C., Henne, Johnson, Kozlowski, Lundy, Mallory, McClain, McGregor, Murray, Newbold, O'Brien, Peterson, Rosenberger, Schuring, Sears, Slaby, Stebelton, Weddington, Young, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Speaker

Pursuant to Section 5537.02 of the Ohio Revised Code, the Speaker hereby removes Representative Goodwin from the Ohio Turnpike Commission.

On motion of Representative Blessing, the House recessed.

The House met pursuant to recess.

Representative Hagan, C. moved that the House revert to the fifth order of business, being reports of standing and select committees and bills for second consideration.

The motion was agreed to.

**REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS
FOR SECOND CONSIDERATION**

Representative Phillips reported for the Rules and Reference Committee recommending that the following House Bills be considered for the second time and referred to the following committees for consideration.

H.B. No. 257 - Representative Murray, et al

TO ESTABLISH A PROGRAM FOR THE REGULATION OF WITHDRAWALS AND CONSUMPTIVE USES OF WATERS FROM THE LAKE ERIE BASIN.

To the committee on Agriculture and Natural Resources

H.B. No. 258 - Representatives Grossman and Dovilla, et al

TO EXEMPT FROM TAXATION FOR FIVE YEARS THE EARNED INCOME OF AN INDIVIDUAL WHO OBTAINS JOURNEYPERSON STATUS OR A BACCALAUREATE DEGREE AND WORKS IN OHIO, AND TO PROHIBIT THE APPRENTICESHIP COUNCIL FROM ADOPTING STANDARDS FOR APPRENTICESHIP RATIOS THAT ARE STRICTER THAN THOSE REQUIREMENTS SPECIFIED IN THE FEDERAL REGULATIONS GOVERNING APPRENTICESHIP PROGRAMS AND FROM DISCRIMINATING AGAINST OPEN OR MERIT SHOPS.

To the committee on Ways and Means

H.B. No. 259 - Representatives J. Adams and Yuko, et al

REGARDING THE PROVISION OF COMPLEMENTARY OR ALTERNATIVE HEALTH SERVICES.

To the committee on Health and Aging

H.B. No. 260 - Representative Derickson, et al

TO REVISE THE LAW GOVERNING COCKFIGHTING.

To the committee on Criminal Justice

H.B. No. 261 - Representative McGregor, et al

TO ALLOW A CREDIT AGAINST THE PERSONAL INCOME TAX OR COMMERCIAL ACTIVITY TAX FOR THE INSTALLATION OF AN ALTERNATIVE FUEL FACILITY.

To the committee on Ways and Means

H.B. No. 262 - Representative Fedor, et al

TO REQUIRE THAT A MINOR WHO IS A VICTIM OF TRAFFICKING IN PERSONS BE PROVIDED WITH APPROPRIATE SERVICES, TO REQUIRE THE DEPARTMENT OF JOB AND FAMILY SERVICES TO DEVELOP PROCEDURES FOR REUNITING THE MINOR WITH FAMILY MEMBERS IN THE MINOR'S COUNTRY OF ORIGIN OR DESTINATION COUNTRY, TO REQUIRE THE DEPARTMENTS OF HEALTH AND MENTAL HEALTH TO DEVELOP PROCEDURES FOR PROVIDING SPECIAL PHYSICAL AND MENTAL HEALTH CARE

TAILORED TO THE MINOR'S NEEDS, TO PROVIDE THAT A MINOR IS NOT GUILTY OF THE CRIME OF SOLICITATION IF THE MINOR IS A VICTIM OF TRAFFICKING IN PERSONS WHEN THE MINOR COMMITTED THE ACT OF SOLICITATION, TO REQUIRE THE DIRECTOR OF THE DEPARTMENT OF COMMERCE TO CREATE A POSTER THAT PROVIDES INFORMATION REGARDING THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE, TO REQUIRE OWNERS OR OPERATORS OF SPECIFIED ESTABLISHMENTS TO CONSPICUOUSLY DISPLAY THAT POSTER, AND TO REQUIRE THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION TO CONSPICUOUSLY DISPLAY THAT POSTER AT REST AREAS.

To the committee on Judiciary and Ethics

H.B. No. 263 - Representative Heard, et al

TO REQUIRE THAT A GUN SHOW VENDOR OBTAIN A CRIMINAL RECORDS CHECK OF A PROSPECTIVE FIREARM TRANSFEREE AT A GUN SHOW, TO REQUIRE THAT A FEDERALLY LICENSED FIREARMS DEALER WHO OBTAINS A CRIMINAL RECORDS CHECK ON BEHALF OF A GUN SHOW VENDOR MAINTAIN A RECORD OF THAT CHECK AND REPORT TO LAW ENFORCEMENT THE NAME OF ANY PROSPECTIVE TRANSFEREE WHO MAY NOT LEGALLY RECEIVE OR POSSESS FIREARMS, AND TO REQUIRE A GUN SHOW PROMOTER TO POST A NOTICE OF THE RECORDS CHECK REQUIREMENT AT THE GUN SHOW IN THE FORM PRESCRIBED BY THE ATTORNEY GENERAL.

To the committee on Transportation, Public Safety and Homeland Security

H.B. No. 264 - Representatives Burke and Grossman, et al

TO AMEND SECTION 5 OF SUB. H.B. 125 OF THE 127TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED, SECTION 20 OF AM. SUB. H.B. 554 OF THE 127TH GENERAL ASSEMBLY, SECTION 3 OF SUB. H.B. 187 OF THE 126TH GENERAL ASSEMBLY, AND SECTION 513.03 OF AM. SUB. H.B. 66 OF THE 126TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED; AND TO REPEAL SECTION 3 OF SUB. H.B. 495 OF THE 128TH GENERAL ASSEMBLY, SECTIONS 209.40, 309.40.70, AND 709.10 OF AM. SUB. H.B. 1 OF THE 128TH GENERAL ASSEMBLY, SECTIONS 755.80 AND 756.40 OF AM. SUB. H.B. 2 OF THE 128TH GENERAL ASSEMBLY, SECTION 3 OF SUB. H.B. 7 OF THE 127TH GENERAL ASSEMBLY, SECTION 555.17 OF AM. SUB. H.B. 67 OF THE 127TH GENERAL ASSEMBLY, SECTIONS 263.30.30, 337.20.20, 377.20, AND 737.11 OF AM. SUB. H.B. 119 OF THE 127TH GENERAL ASSEMBLY, SECTIONS 6 AND 7 OF SUB. H.B. 125 OF THE 127TH GENERAL ASSEMBLY, SECTION 2 OF SUB. H.B. 233 OF THE 127TH GENERAL ASSEMBLY, SECTIONS 703.30 AND 715.50 OF AM. SUB. H.B. 562 OF THE 127TH GENERAL ASSEMBLY, SECTION 4 OF AM. SUB. S.B. 77 OF THE 127TH GENERAL ASSEMBLY, SECTIONS 206.10.12, 206.42.12, 206.66.24, 206.66.43, 209.63.58, 503.09, AND 503.12

OF AM. SUB. H.B. 66 OF THE 126TH GENERAL ASSEMBLY, SECTION 4 OF SUB. H.B. 187 OF THE 126TH GENERAL ASSEMBLY, SECTION 1 OF SUB. H.B. 371 OF THE 126TH GENERAL ASSEMBLY, SECTION 235.60.70 OF AM. SUB. H.B. 699 OF THE 126TH GENERAL ASSEMBLY, SECTION 3 OF AM. SUB. S.B. 167 OF THE 126TH GENERAL ASSEMBLY, SECTION 5 OF AM. SUB. S.B. 260 OF THE 126TH GENERAL ASSEMBLY, SECTION 3 OF SUB. S.B. 393 OF THE 126TH GENERAL ASSEMBLY, SECTIONS 12 AND 25 OF AM. SUB. H.B. 87 OF THE 125TH GENERAL ASSEMBLY, SECTIONS 41.35 AND 153 OF AM. SUB. H.B. 95 OF THE 125TH GENERAL ASSEMBLY, SECTION 8 OF SUB. H.B. 299 OF THE 125TH GENERAL ASSEMBLY, SECTION 6 OF AM. SUB. H.B. 516 OF THE 125TH GENERAL ASSEMBLY, SECTION 3 OF AM. SUB. S.B. 86 OF THE 125TH GENERAL ASSEMBLY, SECTION 3 OF SUB. H.B. 230 OF THE 124TH GENERAL ASSEMBLY, SECTION 3 OF AM. SUB. H.B. 474 OF THE 124TH GENERAL ASSEMBLY, SECTION 4 OF AM. SUB. S.B. 281 OF THE 124TH GENERAL ASSEMBLY, SECTION 3 OF AM. H.B. 416 OF THE 127TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED, SECTION 701.20 OF AM. SUB. H.B. 562 OF THE 127TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED, SECTION 206.66.53 OF AM. SUB. H.B. 66 OF THE 126TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED, SECTION 6 OF SUB. H.B. 336 OF THE 126TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED, SECTION 755.03 OF AM. SUB. H.B. 530 OF THE 126TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED, SECTION 6 OF AM. SUB. S.B. 238 OF THE 126TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED, SECTION 152 OF AM. SUB. H.B. 95 OF THE 125TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED, AND SECTION 59.29 OF AM. SUB. H.B. 95 OF THE 125TH GENERAL ASSEMBLY AS SUBSEQUENTLY AMENDED TO IMPLEMENT THE RECOMMENDATIONS OF THE SUNSET REVIEW COMMITTEE BY ABOLISHING, TERMINATING, TRANSFERRING, OR RENEWING VARIOUS AGENCIES AND BY REESTABLISHING THE SUNSET REVIEW COMMITTEE BUT POSTPONING ITS OPERATION UNTIL THE 131ST GENERAL ASSEMBLY, TO TERMINATE THE OPERATION OF CERTAIN PROVISIONS OF THIS ACT ON DECEMBER 31, 2016, BY REPEALING SECTIONS 101.82, 101.83, 101.84, 101.85, 101.86, AND 101.87 OF THE REVISED CODE ON THAT DATE, AND TO DECLARE AN EMERGENCY.

To the committee on State Government and Elections

H.B. No. 265 - Representatives Slaby and O'Brien, et al

TO AUTHORIZE PROSECUTING ATTORNEYS TO DEMAND A JURY TRIAL IN A CRIMINAL CASE, NOTWITHSTANDING A DEFENDANT'S WAIVER OF TRIAL BY JURY AND OVER A DEFENDANT'S OBJECTION.

To the committee on Criminal Justice

LOUIS W. BLESSING
 JOHN ADAMS
 DAVE BURKE
 ARMOND BUDISH
 DEBBIE PHILLIPS

WILLIAM G. BATCHELDER
 ANDREW BRENNER
 CHERYL GROSSMAN
 TRACY HEARD
 MATT SZOLLOSI

Representative Hagan, C. moved that the House and Constitutional Rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of all House Bills contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

Said House Bills were considered the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

Representative Phillips reported for the Rules and Reference Committee recommending that the following House Resolution be read by title only and approved:

H.R. No. 138 - Representatives Murray, Okey

Honoring American Legion Buckeye Girls State on its Sixty-fifth Anniversary.

Add the name: Brenner

/s/ LOUIS BLESSING
 Louis Blessing, Chair

Representative Hagan, C. moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolution contained therein be approved.

The motion was agreed to.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

H. B. No. 54 -Representatives Maag, Martin

Cosponsors: Representatives Adams, J., Adams, R., Balderson, Beck, Boose, Bupp, Derickson, Grossman, Kozlowski, McGregor, Mecklenborg, Uecker, Young, Amstutz, Pillich, Hayes, Slaby, Blair, Blessing, Brenner, Buchy, Butler, Combs, Dovilla, Goodwin, Hackett, Hagan, C., Hall, Henne, Johnson, Letson, Newbold, Roegner, Rosenberger, Ruhl, Sears, Stautberg, Speaker

Batchelder Senators Wilson, Cafaro, Coley, Daniels, Hite, Jordan, Manning, Oelslager, Wagoner

To amend sections 2923.13 and 2923.14 of the Revised Code to conform the restoration of civil firearm rights with federal law and U.S. Supreme Court case law; to eliminate the prohibition against persons with certain misdemeanor drug offense convictions acquiring or possessing firearms or dangerous ordnance; and to allow restoration of civil firearm rights for firearms that are dangerous ordnance.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Am. Sub. H. B. No. 133 -Representative Adams, J.

Cosponsors: Representatives Beck, Blessing, Boose, Brenner, Buchy, Burke, Combs, Gonzales, Goodwin, Grossman, Hackett, Hall, Hayes, Huffman, Landis, Maag, Martin, McKenney, Rosenberger, Ruhl, Sears, Stebelton, Thompson, Uecker, Wachtmann, Young, Amstutz, Blair, Hagan, C., Hottinger, Mecklenborg, Newbold, Roegner, Slaby Senators Faber, Schaffer, Bacon, Coley, Daniels, Hite, Jones, Jordan, Lehner, Niehaus, Seitz, Widener, Wilson

To amend sections 123.01, 1531.06, 1531.33, and 3345.181, to enact sections 131.50, 1503.012, 1509.70, 1509.71, 1509.72, 1509.73, 1509.74, 1509.75, 1509.76, 1509.77, 1509.78, and 1541.26, and to repeal sections 5119.40, 5120.12, and 5123.23 of the Revised Code to create the Oil and Gas Leasing Commission, to establish a procedure for leasing land owned or under the control of state agencies for oil and gas production in order to provide funding for capital costs for the agencies, and to exclude nature preserves from drilling.

As a substitute bill with the following additional amendments, in which the concurrence of the House is requested.

In line 492, delete " In the calendar quarter" and insert " Not less than thirty days, but not more than one hundred twenty days"

In line 494, delete " enter into a"

In line 495, delete "lease for" and insert "approve or disapprove the nomination for the purpose of leasing"

In line 544, delete "deny" and insert "disapprove"

In line 546, delete "denial" and insert "disapproval"

In line 552, delete "deny" and insert "disapprove"

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has adopted the following joint resolution in which the concurrence of the House is requested:

S. J. R. No. 1 -Senator Grendell

Cosponsors: Senators Faber, Jones, Wagoner, Cates, Schaffer, Bacon, Daniels, LaRose, Jordan, Hughes, Hite, Beagle, Coley, Gillmor, Lehner, Manning, Niehaus, Obhof, Patton, Seitz, Widener

Proposing to enact Section 21 of Article I of the Constitution of the State of Ohio to preserve the freedom of Ohioans to choose their health care and health care coverage.

Attest:

Vincent L. Keeran,
Clerk.

Said joint resolution was referred to the committee on Rules and Reference under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the House amendments to:

Am. S. B. No. 22 -Senator Schaffer - et al.

Sub. S. B. No. 17 -Senator Schaffer - et al.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Speaker

The Speaker of the House of Representatives, on June 9, 2011, signed the following:

Sub. H. B. No. 5 - Representative Huffman - et al.

Sub. H. B. No. 22 - Representative Bubp - et al.

On motion of Representative Hagan, C., the House adjourned until Tuesday, June 21, 2011 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,
Clerk.